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MAR 03 2006
PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re the Application of: **Hiroyuki SEKITANI**

Group Art Unit: **3625**

Serial Number: **09/880,036**

Examiner: **Mark A. Fadok**

Filed: **June 14, 2001**

Confirmation Number: **5953**

For: **PART RETRIEVING SYSTEM FOR PRODUCTION MACHINES UTILIZING NETWORK**

Attorney Docket Number: **010734**
Customer Number: **38834**

SUBMISSION OF APPEAL BRIEF

03 March 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Appellant submit herewith an Appeal Brief in the above-identified U.S. patent application.

Attached please find a check in the amount of $500.00 to cover the cost for the Appeal Brief.

If any additional fees are due in connection with this submission, please charge our Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

Adjustment date: 05/08/2006 SDIRETA1
03/09/2006 LLITTLE 00000001 502866 09880036
01 FC:1251 120.00 CR

03/06/2006 JADD01 00000024 09880036
01 FC:1402 500.00 OP

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RBC/jl

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2006 APR 26 PM 4:28
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In re the Application of: **Hiroyuki SEKITANI** Group Art Unit: **3625**

Application Number: **09/880,036** Examiner: **Mark A. Fadok**

Filed: **June 14, 2001** Confirmation Number: **5953**

For: **PART RETRIEVING SYSTEM FOR PRODUCTION MACHINES UTILIZING NETWORK**

Attorney Docket Number: **010734**
Customer Number: **38834**

REQUEST FOR REFUND

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

April 25, 2006

Sir:

Applicant's Deposit Account No. 50-2866 was charged $120.00 on March 9, 2006 under Code No. 1251 for extension of time fee. This charge is in error. The reasons set forth below:

On March 3, 2006, Applicant filed an Appeal Brief with a fee of $500.00. This filing is timely in accordance with the Official Gazette Notice of July 12, 2005, which states that:

"The time period for filing an appeal brief will be reset to be on month from mailing of the decision on the request, or the balance of the two-month time period running from the receipt of the Notice of Appeal, whichever is greater."

In the instant application, the mailing date of Notice of Panel Decision from Pre-Appeal Brief Review" is February 6, 2006, and the filing date of Applicant's Appeal Brief is March 3, 2006, which is within one month time period under in accordance with the Official Gazette Notice of July 12, 2005.

Request for Refund
Application No. 09/880,036
Attorney Docket No. 010734

Accordingly, charging extension of time fee under Code 1251 by the U.S. Patent Office is erroneous and Applicant respectfully requested that $120.00 be refunded to Applicant's Deposit Account No. 50-2866. A copy of the March Deposit Account monthly statement accompanies this Request.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

Ryan B. Chirnomas
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Telephone: (202) 822-1100
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RBC/jl

Enclosures: Deposit Account Monthly Statement of March, 2006

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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APR 21 2006

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

MONTHLY STATEMENT OF DEPOSIT ACCOUNT

To replenish your deposit account, detach and return top portion with your check. Make check payable to Director of Patents & Trademarks.

WESTERMAN, HATTORI, DANIELS & ADRIAN, LL FINA
ACCOUNTS PAYABLE
1250 CONNECTICUT AVE, NW
SUITE 700
WASHINGTON DC 20036

Account No.
502866
Date
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DATE POSTED MO.	DAY	YR.	CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
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3	30	06	2	10416154	030536	1806	180.00	2532.00
3	30	06	10	10533571		9204	-50.00	2582.00
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AN AMOUNT SUFFICIENT TO COVER ALL SERVICES REQUESTED MUST ALWAYS BE ON DEPOSIT	OPENING BALANCE	TOTAL CHARGES	TOTAL CREDITS	CLOSING BALANCE
	3647.00	3920.00	2790.00	2517.00

MS020C (11/2005)

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